

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

## **ORDER OF FORFEITURE**

This matter is before the Court on the Motion of the United States for an Order of Forfeiture. In Count Twenty-Four of the Indictment in this case, the United States sought a personal money judgment against the defendant Zachery Whitehill for \$12,523,704.00 pursuant to 18 U.S.C. § 982(a)(8) on the basis that the property constituted, or was derived from the proceeds the defendant obtained directly or indirectly as a result of the offense and scheme alleged in Count One.

On April 26, 2006, a jury found the defendant Zachery Whitehill guilty of Counts One, Two, Three, Four, and Twenty-Three of the Indictment. The jury also determined that the defendant Zachery Whitehill should forfeit \$10,203,878.00<sup>1</sup> to the United States.

By virtue of the guilty verdict and the jury's finding that Zachery Whitehill received \$10,203,878.00 in proceeds from the telemarketing scheme, the United States is now entitled to an Order of Forfeiture and to possession of the property pursuant to 21 U.S.C. § 853.

<sup>1</sup>On March 15, 2005, the Court granted the United States' request to amend the Indictment and reduce the money judgment from \$12,523,704.00 to \$10,203,878.00 as set forth in the Special Verdict Form.

Accordingly, it is hereby ORDERED:

1. The defendant Zachery Whitehill shall pay to the United States \$10,203,878.00 as a personal money judgment.
2. Pursuant to Fed. R. Crim. P. 32.2(b)(3), this Order of Forfeiture shall become final as to the defendant at the time of sentencing (or before if the defendant consents) and shall be made part of the sentence and included in the judgment.
3. The United States may conduct any discovery it considers necessary to identify, locate, or dispose of the property subject to forfeiture or substitute assets for such property.

s/ NANETTE K. LAUGHREY

Nanette K. Laughrey  
United States District Judge

Dated this 1<sup>ST</sup> day of May, 2006, at Kansas City, Missouri.